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Attorneys for Estela D. Reed

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PRINCIPAL LIFE INSURANCE
COMPANY,

Plaintiff,

vs.

VINA CUESTA STATUA, INOCENCIO
S. AMBE, CORAZON AMBE
CABALES, ESTELA D. REED, and
DOES 1-10,

Defendants.

ESTELA D. REED,

Cross-claimant,

vs.

VINA CUESTA STATUA, INOCENCIO
S. AMBE, and CORAZON AMBE
CABALES,

Cross-defendants.

Case No. C-07-4915 CW

MOTION FOR THE COURT
ENTRY OF DEFAULT OF
INOCENCIO S. AMBER ON
CROSS-CLAIM OF ESTELA
D. REED AS TO CROSS-
DEFENDANT INOCENCIO
S. AMBE

Comes now ESTELA D. REED and moves this Court for an order finding service of
process on **INOCENCIO S. AMBE** sufficient and for entry of the default of **INOCENCIO**

1 **S. AMBE.**

2 This motion is made on the grounds that INOCENCIO S. AMBE, a resident of the
3 Philippines, was served the summons and complaint on the cross-claim filed herein pursuant
4 to Federal Rules of Civil Procedures Rule 4(f) and such service is legally sufficient in that
5 the Philippines is not a signatory of the ("Hague Convention") and the service is reasonably
6 calculated to provide notice to the defendant of the pending action and to provide the
7 opportunity to respond to the instant action, and that the defendant INOCENCIO S. AMBE
8 has failed to file an answer or otherwise appear in the action.

9 This motion is supported by the Declaration of Montie S. Day filed herewith, the
10 Memorandum of Points and Authority filed herewith, the Request for Judicial Notice and the
11 records and files in the instant action.

12
13 Date: March 10, 2008

DAY LAW OFFICES

14 /s/ Montie S. Day

15 BY: _____

16 Montie S. Day, Attorney

CERTIFICATE OF SERVICE

I, Montie S. Day, state that the following described documents were served on the below listed parties and/or attorney in the manner set forth below:
Documents Served:

MOTION FOR THE COURT ENTRY OF DEFAULT ON CROSS-CLAIM OF ESTELA REED AS TO CROSS-DEFENDANT INOCENCIO S. AMBE

MEMORANDUM IN SUPPORT OF ENTRY OF DEFAULT OF INOCENCIO S. AMBE ON CROSS-CLAIM OF ESTELA D. REED

DECLARATION OF MONTIE S. DAY IN SUPPORT OF MOTION FOR COURT ENTRY OF ORDER AGAINST INOCENCIO S. AMBE

(Proposed) ORDER ENTERING DEFAULT AGAINST INOCENCIO S. AMBE ON CROSS-CLAIM OF ESTELA D. REED

by serving electronically the following automatically upon filing by ECF procedures

Michael K. Brisbin

michael.brisbin@wilsonelser.com,joya.yeung@wilsonelser.com

Adrienne Clare Publicover

Adrienne.Publicover@WilsonElser.com,Nancy.Li@WilsonElser.com,Charan.Higbee@WilsonElser.com

Montie S. Day

Oyad@aol.com

Daniel J. DeVries

DJDV@DeVriesLawGroup.com,jma@devrieslawgroup.com,cbj@devrieslawgroup.com

and by serving the following parties who may have an interest in the pending motion by mailing such notice addressed as follows (if not served electronically as above):

Corazon Ambe Cabales

462 37TH Street

Oakland, California 94609

Defendant

Mr. Inocencio S. Ambe

907 Paroba Street

Santa Maria, Sta. Ana

2022 Pampanga, Philippines

Defendant

I declare under the penalties of perjury that the foregoing is true and correct, and that I have executed this certificate on March 10, 2008 at Williams, California 95987

/s/ Montie S. Day

Montie S. Day, Attorney